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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 002096

SIPDIS

STATE FOR SA/INS, USPACOM FOR FPA

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TAGS: PREL PTER PGOV CE LTTE

SUBJECT: CO-CHAIRS SHOULD FOCUS ON PRIVATE MESSAGES TO PARTIES

REF: COLOMBO 2088

Classified By: Ambassador Jeffrey J. Lunstead for reasons 1.4 (b) and (d).

11. (C) SUMMARY: Co-Chairs Chiefs of Mission (COM's) and visiting EC DDG Jouanjean agreed Dec 19 Co-Chairs meeting in Brussels should focus on role of Co-Chairs in changed peace process environment in Sri Lanka. All agreed Co-Chairs should develop messages to be passed privately to both GSL and LTTE, in addition to standard public statement. Our suggestions for elements of such messages follow. Norwegian and Sri Lankan Foreign Ministers may meet at WTO meeting in Hong Kong. END SUMMARY

12. (C) Co-Chairs Chiefs of Mission (US Ambassador, Norwegian Ambassador Brattskar, EC Ambassador Wilson, Japanese Ambassador Suda, UK Deputy High Commissioner Craig) met with EC Deputy Director General for External Relations Herve Jouanjean Dec 13. Jouanjean had been sent to Sri Lanka by EC Commissioner Ferrero-Waldner to help prepare ground for Dec 19 Co-Chairs meeting in Brussels.

13. (C) Jouanjean, who was just beginning his visit to Sri Lanka, said that there were "negative signals but signs of hope," and that despite the troublesome rhetoric there were possibilities for progress. Norwegian Ambassador Brattskar said that this was the most difficult spot since Norway began as facilitator, and that Norway needed clarity from both parties on the substance and the framework of the peace process. Norway was ready for a visit by Eric Solheim, but the GSL was not yet ready to see him. However, he added, it was possible that Solheim and Foreign Minister Samaraweera could meet during the WTO meeting in Hong Kong this week. He said that Norway was now the only outside party talking to the LTTE, and that this was a disadvantage. (Japanese Special Envoy Akashi had not visited Kilinocchi during his Sri Lanka visit last week at the express request of the GSL.)

14. (C) Ambassador Lunstead, using points from para 11 of ref tel, said that we believed the Co-Chairs were meeting in a drastically changed environment and should discuss how they could play a useful role in this new atmosphere. He said that there had been too much emphasis in the past on the public statement issued at the end of each Co-Chairs meeting. The group then agreed that strong messages needed to be passed to both parties on the Co-Chairs expectations and that this could best be done in private discussions, not through the public statement, which should be short and pointed. Consensus was reached that it would be useful if Co-Chairs officials in Brussels could agree on messages to be passed to GSL and LTTE--presumably through Co-Chairs COM's in Colombo. COM's (presumably minus US Ambassador) would travel to Kilinocchi to deliver the message to the Tigers. This would allow much more direct messages to both sides, and make clear Co-Chairs' expectations as well as recommendations.

15. (C) COMMENT: We recommend most strongly that US at the upcoming Co-Chairs meeting support the proposal for a new emphasis on engaging privately with the two parties. While a public statement is useful and should still be issued, its utility is circumscribed by its very public nature. States (and non-state entities) normally conduct their diplomatic business through direct and private discussions. Co-Chairs need to find a useful role beyond issuing nagging public statements. We believe the type of frank discussion which is needed with both the GSL and the LTTE should be held privately. END COMMENT

16. (C) We recommend the following points for Co-Chairs messages to GSL and LTTE:

For the GSL:

--We support President Rajapaksa's commitment to achieving a peaceful and equitable resolution;  
--While it is up to Sri Lankans to devise this resolution, we agree with you that it must include substantial devolution of power within a united Sri Lanka, whether or not this is called "federalism";

--It must also address the numerous legitimate and long-standing grievances of the Tamil community;

--We urge the GSL to consider what confidence building measures it might offer in the near term;

--An example could be some lessening of restrictions on the High Security Zones, if conditions permit;

--We welcome the GSL's commitment to provide post-tsunami and other reconstruction/rehabilitation aid to LTTE-controlled territory;

--It is not realistic to think that this can be done without providing the LTTE some political and/or decision-making role;

-- The Tigers are responsible for the overwhelming majority of ceasefire violations, and we have criticized them for this. But both sides are contributing to an increasingly untenable security situation;

--The GSL is responsible for maintaining law and order in the territory it controls;

--The GSL must crack down on the operations of the Karuna faction and other anti-LTTE paramilitaries;

--We welcome the continuation of Norway in its difficult role as facilitator;

--Scapegoating Norway for the failures of the parties to advance the peace process must cease. Similarly, the SLMM cannot take actions which are not within its mandate agreed to by both parties. The Government needs to make clear that it supports Norway and the SLMM.

For the LTTE:

--We want to see a peaceful resolution to this conflict, and we recognize that the Tamil community has many long-standing grievances that deserve an equitable remedy;

--You and the GSL are the only ones who can come up with this resolution, but you have to engage with one another to do so;

--We can't prescribe a formula for the resolution, but it will have to involve substantial devolution of powers-whether or not it is called federalism-within a united Sri Lanka;

--We do not and will not support the division of Sri Lanka;

--We are increasingly concerned at the deterioration of the Ceasefire Agreement;

--Both sides are guilty of violations, but you commit the overwhelming majority. In particular your targeted killings with Claymore mines of soldiers and policemen in Jaffna have been disgraceful;

--Among those violations is your continued recruitment of children, which contravenes the agreement you signed with UNICEF;

--You need to engage now with the GSL in a practical discussion on how to strengthen the ceasefire;

--Besides discussion, you must also change your behavior;

--That means ending the use of terror;

--If you don't do that soon, co-chair member nations and others may consider a range of remedial measures (sanctions, asset freezes, visa bans, crackdowns on expatriate fundraising, terrorist designations).

--If your behavior does change, you have the opportunity for enhanced engagement with the international community and a recognition of your legitimate political role.

17. (C) On logistics of meeting, Jouanjean said that there would be a working level-meeting from 10-12 on December 19 to discuss the proposed statement. (If there are to be private messages, they could be discussed here also.) The high-level meeting would run from 12-1630. The Indians have been invited to attend the lunch portion of that session, and have accepted in principle. Jouanjean made no mention of an international conference on Sri Lanka, an idea we understand the EU has mooted in Washington.